

**FINAL MEETING SUMMARY**

**HANFORD ADVISORY BOARD  
HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING  
March 8, 2007  
Richland, WA**

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*This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.*

**Welcome and Introductions**

Keith Smith, Health, Safety, and Environmental Protection Committee (HSEP) Chair, welcomed the committee and introductions were made. Changes to the January meeting summary were incorporated and the summary was adopted.

**Medical Removal Process**

Keith provided an issue manager update on the medical removal process and stakeholder concerns. He has spoken to several Beryllium (Be) affected workers about their perception of the medical removal process, and said there are a lot of misconceptions about medical removal. Some workers incorrectly perceive that Contract Claims Services, Inc. (CCSI) is part of the medical removal process. Workers also perceive little uniformity with the way the program is administered. Keith said the Department of Energy (DOE) is responsible for program uniformity, and DOE is aware of the lack of uniformity. DOE will be focusing on uniformity and training personnel to work with Be exposed workers.

Steve Bertness, DOE-Richland Operations Office (DOE-RL), Industrial Hygienist, and Dr. John Calcagni, Acting Medical Director with AdvanceMed Hanford (AMH), discussed the medical side of the medical removal process. Dr. Calcagni said the Be medical removal process is the same process for any employee being examined under the Americans with Disabilities Act (ADA). The process determines whether a worker can perform essential job functions. This process involves an initial screening to test for abnormalities that impact an employee’s ability to perform. Employees are given a

temporary work restriction during further diagnosis. If no positive results are found, the worker goes back to the job without any restrictions. If a medical condition is confirmed, work restrictions are recommended, and the worker's company should go through the process to identify how to reassign the worker. If an appropriate position is available, one that does not put the worker at unacceptable risk, the process stops. If no position is available, the Hanford Site Occupational Medical Director will arrange a meeting with the employer, employee, and medical director to review options. If the Occupational Medical Director is satisfied there are no safe employment position options, the worker is recommended for medical removal.

Dr. Calcagni discussed the two types of restrictions that might be applied to a worker during the process. The first is a restriction for Be sensitization only, and the second is a restriction for Chronic Beryllium Disease (CBD).

The medical removal process has been presented to the Beryllium Awareness Group (BAG). Dr. Calcagni added that AMH brought on a new physician, Victor Nwillow, from Jewish Medical Center to work on CBD, help workers discuss exposure issues, and get their cases presented to the Washington State Department of Labor and Industry (L&I).

### *Committee Discussion*

- *Are employee expenses paid when they are sent to National Jewish Medical Center for evaluations?* Steve said workers are compensated and also have the ability to cover expenses for a travel companion.
- *What is the difference between a positive, borderline positive, or negative diagnosis?* Dr. Calcagni said a borderline diagnosis requires further testing to determine whether an individual is positive or negative.
- *Are workers truly a partner in the medical removal decision process?* Steve said workers are involved in discussions throughout the medical removal decision process.
- Jim Trombold commented that in the case of a worker with an allergic reaction, the level of exposure is somewhat less important.
- *Are there cases where workers test negative in a sensitivity test but have granulomas?* Dr. Calcagni said that would be unexpected, but there are false negative test results and the test is not perfect.
- *Since a Be sensitized worker is more susceptible to developing CBD, why not apply the CBD restriction to sensitized workers?* Dr. Calcagni said there is no evidence that additional low-level exposure would cause an individual's sensitization to worsen. There is no threshold for additional Be exposure, but the goal is to have employees exposed to the lowest Be level possible. Jim said he believes most workers would likely opt for no exposure, regardless of their categorization. Dr. Calcagni said

restrictions are discussed with workers. There is a balance between limiting worker exposure as much as possible, but also enabling individuals to be able to work if they want.

- *Is there a process to identify positions with other contractors for a worker that has Be sensitivity or CBD and is unable to find a position with their current employer?* Steve said he sent a letter to contractors expressing the expectation that medically removed workers will be accommodated. He is confident that workers will be accommodated by the medical removal process.
- *Is it possible for workers who are sensitized and do not want to be exposed further to request they be removed from certain positions?* Steve said he is not aware of a situation where a worker has voluntarily requested to be removed from a position. He said contractors are expected to make every effort to keep workers employed. Since contractors cannot guarantee a worker will receive no Be exposure, there is a limited amount of risk employees have to be willing to accept.

### **Classification of Workers and Medical Records**

Tom Anderson, Safety and Health Director for CH2M Hill Hanford Group (CHG), discussed tank farm vapor monitoring. All workers entering the tank farms have personal vapor monitoring for all chemical vapors detected during characterization sampling. Tom discussed several questions posed by the committee prior to the meeting.

- *Can CHG verify whether or not personal monitoring is always done properly?* Tom said CHG performs rigorous internal and external quality assurance assessments to verify monitoring is done properly.
- *For what class of worker are medical records available?* Tom said any worker with personal monitoring has medical records. An Employee Job Task Analysis (EJTA) is performed to determine the job tasks and exposure risk for each worker. The EJTA is the basis for the personal monitoring program.
- *How does personal monitoring impact the worker compensation process?* Tom said personal monitoring has a positive effect on the worker compensation claims process, since it makes more exposure data available.
- *How can workers obtain exposure data?* People with personal monitoring are sent a letter within 15 days of AMH receiving lab results. A copy of the letter is sent to AMH, which has access to the database of all monitoring results. AMH can provide de-personalized information on monitoring.
- *How is data acquired, managed, and maintained?* Tom said the monitoring database was started in 2004. AMH has reviewed previous sets of data, and are going through a quality assurance process on these data and entering them into the current database.

Data that is earlier than 2004 are questionable. Archive data stored in Seattle can be queried, but past historical exposure data is inconsistent.

- *Do workers in tank farms use half-mask respirators?* There may have been times in the past when half-mask respirators were used, but they are not currently used.

### **Committee Discussion**

- *What does personal sampling look for?* Tom said CHG makes sure to obtain a statistically valid sample when performing personal sampling by placing different chemical monitors on different workers to make sure the full suite of chemicals is measured. Every chemical detected during characterization sampling is monitored. He emphasized the need to be especially careful with the chemicals with short-term exposure limits, which involves a lot of direct-reading monitoring.
- *How many chemicals are monitored?* Tom estimated 20 chemicals are monitored. He said he would provide the list of chemicals to Keith for the committee's review.
- *Where are the industrial hygienists located when workers work on open tanks?* Tom said a vapor control zone is cordoned off, and anyone in that zone wears a supplied air respirator. The people closest to the tank have personal monitoring and the industrial hygienist gets as close to the tank as the workers.
- *How far away from the tank breathers are half-mask respirators used?* Steve said the vapor control zone is within five feet of the vapor sources, but no respiratory protection is required beyond the vapor control zone. Steve noted that CHG has a voluntary respirator program, so any worker who wants to wear a respirator may.
- *Does CHG have a written eye protection plan for workers?* Tom said CHG has a personal injury protection plan that includes eye protection.
- *Does DOE have a policy requiring contractors to follow employees who, in the "bump and roll" process, now work for a different contractor? Is there a policy to track cumulative exposure when workers change companies on site?* Susan Leckband said these are policy questions the committee should track.

### **Workers' Compensation Program**

Keith reviewed draft advice on workers' compensation. He suggested committee members review and consider the letter from DOE site managers to public participants of the 2006 Hanford State of the Site Meeting regarding the corrective actions for the worker's compensation claims process. Keith said it is important to note that these are first steps in corrective actions and there are a lot more detailed plans to implement program improvements that do not appear in the letter. He suggested setting up a

meeting with worker representatives to enlist their help in tracking issues as the corrective actions are implemented.

### *Committee Discussion*

Tim Jarvis reviewed his proposed additions to the draft advice:

- o Restate the findings from the Government Accountability Project (GAP) report on the worker compensation program.
  - o Request DOE provide a written plan to identify and correct the fundamental problems with the program.
  - o Emphasize the need for DOE to measure the success of the proposed corrective actions.
  - o Develop a method to make contractor payments contingent on complying with Occupational Safety and Health Administration (OSHA) regulations.
  - o Make contractor under-reporting and under-representation of workplace injury a breach of contract.
  - o Place the responsibility on the contractor to prove exposures with industrial hygiene data; otherwise workers that have claims and show symptoms of exposure should assume to have been exposed.
  - o DOE should not compensate any contractor for L&I claims unless the claim can be found to be fraudulent by state judge.
  - o DOE should pay legal fees for workers with valid L&I claims.
- Keith said DOE indicates they are trying to implement program improvements. He asked committee members whether this advice is timely, or whether DOE should be given more time to produce a written plan, schedule, and metrics for implementing corrective actions. Tim said the advice seems timely with the current discussions and negotiations between CCSI and L&I, and between L&I and the Attorney General's Office. He noted the data from the tank farms is scant previous to 2003, so Hanford may be beginning to see the leading edge of the latency stage of cancer cases, which will likely increase over next eight years, so this is an issue that is important to prepare for.
  - *Since the Board would be issuing advice to DOE, not L&I, what is the desired response or action that is different than the expected response to previous Board advice on the subject?* Tim expressed concern that, from an outside perspective, the Board does not seem to have an opinion on the worker compensation issues. Issuing advice is a way for the Board to go on record on the subject.

Committee members discussed whether to proceed with Board advice or issue a letter. Some Board members have concerns that the draft advice content is more focused on L&I and is not a DOE policy piece.

- Susan Leckband said she believes the draft advice is too detailed and so will be very difficult to get through the consensus process at the Board.

- Since improving the worker compensation program is an ongoing process, Keith said a letter of comment would be valuable as a response to DOE's letter regarding corrective actions.
- Tim expressed the need for the Board maintaining an interest in worker issues, since cleanup cannot be achieved without the workers. He said he believes the Board's reputation is that it does not care about Hanford workers. He commented that tax-payers will end up paying for injured workers, since many workers were overexposed during their work, for which contractors should have paid. The policy issue is that contractors made a profit but did not pay for injured workers.
- Susan proposed that the contracting elements of the draft advice be considered in Budgets and Contract Committee (BCC) advice. Tim agreed those elements are better placed in BCC advice.
- Committee members generally agreed to consider a broader policy statement, such as a letter, to indicate the Board's interest in keeping track of progress on the corrective actions. Keith and Tim will work on a letter for the April Board meeting.

### **Committee Business**

Keith updated the committee on the Waste Treatment Plant (WTP) Safety Summit, which he and Susan attended. He was impressed by the meeting, which included worker-led committees discussing safety issues. He commented that workers need to want to be safe and seem to be making that happen. All the committees developed the same basic message that contractor management needs to ensure field management and subcontractors are aware of safety issues and policies. Contractors have enlisted workers to identify safety issues. In particular, Bechtel National, Inc. spent a lot of money and time to address safety issues and were very willing to take worker suggestions. He added that the building trades council is very supportive.

Committee members agreed no March committee call or April meeting is necessary.

### **Action Items / Commitments**

- Tom Anderson, CHG, said he would provide the list of tank farm monitored chemicals to Keith for the committee's review.
- Keith and Tim will draft a letter responding to DOE's letter on the corrective actions to the worker compensation program.

## **Handouts**

*NOTE: Copies of meeting handouts can be obtained through the Hanford Advisory Board Administrator at (509) 942-1906, or [tholm@enviroissues.com](mailto:tholm@enviroissues.com)*

- Beryllium Medical Removal Process, John Calcagni, AMH, 3/8/2007.
  - Worker Compensation Draft Advice, 3/8/2007.
  - Worker Compensation Draft Advice (including Tim Jarvis' proposed additions), 3/8/2007.
  - Update on Workers' Compensation Claims Processing (letter), DOE Hanford field offices, 12/20/2006.
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## **Attendees**

### **HAB Members and Alternates**

Harold Heacock	Susan Leckband	John Stanfill
Tim Jarvis	Gerry Pollet	Jim Trombold (phone)
Mike Keizer	Keith Smith	

### **Others**

Steve Bertness, DOE-RL	Beth Rochette, Ecology	John Calcagni, AMH
Karen Lutz, DOE-RL		Martin Zizzi, AMH
		Tom Anderson, CHG
Lori Gamache, DOE-ORP		Karen Caddey, CHG
		Lynn Lefkoff, EnviroIssues
		Jason Mulvihill-Kuntz, EnviroIssues
		Barb Wise, FH
		Annette Cary, TCH